

REMARKS

The invention provides for synergistic herbicidal combinations comprising specific hydroxylphenylpyruvate dioxygenase inhibitors in combination with at least one second herbicide belonging to one of four classes of herbicides.

Pursuant to 37 C.F.R. 1.136(a), Applicants petition the Assistant Commissioner to extend the time period to file a response by three (3) months, i.e., up to and including March 1, 2004. A check for \$1020 is enclosed to cover the cost of the petition. It is believed that no further fee is required. If, however, an additional fee is due, the Assistant Commissioner is authorized to charge such fee, or credit any overpayment, to Deposit Account 50-0320.

Claims 26-33 are pending. In order to advance prosecution and to place the application in condition for allowance, Applicants cancel claims 27-33 without prejudice, admission, surrender of subject matter or intention of creating estoppel as to equivalents. Applicants reserve the right to pursue the cancelled subject matter in a divisional application.

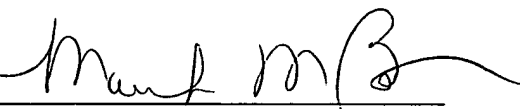
Applicants note that pending claim 26, equivalent to previously cancelled claim 19 and drawn to the elected herbicidal composition A4 and nicosulfuron, has been already considered allowable by the Examiner.

Claims 27, 29-31 and 33 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over any one of the following: Graber et al. (PCT WO 97/34486), Luff et al (US 6, 239,070) or Anderson-Taylor et al (PCT WO 97/22253). Applicants urge that in view of the instant amendments, rejection is rendered moot.

In view of the foregoing, reconsideration and withdrawal of the rejections are respectfully requested. Favorable action is earnestly solicited.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 

Marilyn Matthes Brogan
Reg. No. 31,223
745 Fifth Avenue
New York, New York 10151
(212) 588-0800